

REMARKS

The examiner has rejected independent claim 1 under 35 USC 102(e) as being anticipated by Norrby US 6609793. The examiner is urged to reconsider and withdraw the rejection.

Claim 1 describes a “method for selecting the power of an intraocular lens,” and calls for “performing autorefraction on the aphakic eye to provide one or more aphakic refraction measurements” and “determining the power of the intraocular lens from the one or more aphakic refraction measurements.” This is a bold departure from the conventional approach of using preoperative corneal measurements to determine the power of the intraocular lens. Instead of estimate the intraocular power from preoperative measurements, the invention determines the power from refraction measurements made using autorefraction after the natural lens is removed (aphakic eye).

Norrby employs the same old conventional approach for selecting the power of the intraocular lens (col. 4, lines 1-29) -- preoperative measurements of the cornea.

Norrby does perform intraoperative measurements of the aphakic eye, but not for determining the power of the intraocular lens. These measurements are done to determine higher order aberrations of the eye. And the measurements made to determine these higher order aberrations are not the autorefraction called for in claim 1, but employ a wavefront sensor. Thus, Norrby determines the power of the lens preoperatively, and uses intraoperative measurements to determine higher order aberrations. Norrby takes care to distinguish between lenses of “different power” and lenses of “different aberrations,” and explains that his intraoperative measurements of the aphakic eye are only used for selecting the aberration of the lens and not the power of the lens (col. 11, lines 29-65)

Accordingly, claim 1 is allowable over the art of record.

The remaining claims are all properly dependent on claim 1, and thus allowable therewith. Each of the dependent claims adds one or more further limitations that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner's reasons for rejecting the dependent claims.

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Allowance of the application is requested.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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